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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|---|----------------------|-------------------------|------------------|
| 09/506,443 | 02/18/2000 | Tetsuji Kawazura | P21-9056 | 8222 |
| | 90 06/08/2004 | EXAMINER | | |
| | KINTNER PLOTKIN ut Avenue, N.W. Suite 40 | MULLIS, JEFFREY C | | |
| Washington, D | · · · · · · · · · · · · · · · · · · · | | ART UNIT | PAPER NUMBER |
| | | | 1711 | |
| | | | DATE MAILED: 06/08/2007 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Saminer | | | Application No. | Applicant(s) | |
|---|--|---|--|---|------------------------|
| Examiner Jeffrey C. Mullis 1711 | • | | 1 | KAWAZURA ET | AL. |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ederations of them may be available under the positions of 37 CPR 1.136(a). In no event, however, may a reply be timely filled and the status of the may be available under the positions of 37 CPR 1.136(a). In no event, however, may a reply be timely filled under SA (6) MONTH'S from the maining date of this communication and them to the status of them to the third (30) days will be considered timely. If NO period for reply is specified bore, the maining material apply and will explore the NO period to reply the specified bore, the mainine attackery period will apply and will explore IX (8) MONTH'S from the maining date of this communication. If NO period to reply is specified bore, the mainine maintained and position to become ABANDONED (35 U.S. 5, 133). Any may become by the Other Learn than them maining date of this communication, even if tendly filled, may reduce any correct patient from sequenterial. See 37 CPR 1.74(1)) Status 1) □ Responsive to communication(s) filled on 11 March 2004. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex partia Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 8-16 is/are pending in the application. 4a) Of the above claim(s) is sidere objected. 7) □ Claim(s) 8-13 is/are allowed. 6) □ Claim(s) 8-13 is/are allowed. 6) □ Claim(s) 14-16 is/are rejected. 7) □ Claim(s) 14-16 is/are rejected to 8. Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to . Sea 37 CFR 1.121(1) □ The drawing(s) filled on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Note the attached Office Action or form PTO | | Office Action Summary | Examiner | Art Unit | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edwards of them may be available under the provisions of 37 CPR 1.136(a). In no event, however, may a reply be timely filed after 53 (c) MONTH's from the making cale of this communication. Failure to reply is specified above, the maximum elistory protein diaphy and will explore IX (c) MONTH's from the making date of this communication. Failure to reply is specified above, the maximum elistory protein diaphy and will explore IX (c) MONTH's from the making date of this communication. Failure to reply is specified above, the maximum elistory protein diaphy and will explore IX (c) MONTH's from the making date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the splication to become ABANDONED (35 U. S. C. § 133). Any reply received by this Chies the frain them intended above the maximum elistory protein diaphy and will explicate IX (c) MONTH's from the making date of this communication. Allow The split is the split is the frain them form condition to become ABANDONED (35 U. S. C. § 133). Any reply received by the Chies. Status 1) □ Responsive to communication(s) filed on 11 March 2004. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quay/e, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 8-16 is/are pending in the application. 4a) ○ The drawing(s) 8-16 is/are rejected. 7) □ Claim(s) 8-16 is/are rejected to by the Examiner. 10) □ The drawing(s) filed on 16/4 is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The drawing(s) filed on 16/4 is/are: a) □ accepted or b) □ objected to by | | | Jeffrey C. Mullis | 1711 | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be audiable under the protection of 37 CPR 1.36(a), in no event, however, may a reply be timely filed controlled to the may be audiable under the protection of 37 CPR 1.36(a), in no event, however, may a reply be timely filed controlled to the protection of the many and apply and will explicate the filed the conformal relatively protected apply and will explicate the filed these many and apply and will explicate the filed the protection of the protection of the protection of the protection of the protection to become ABANDONEO (55 U.S. 5, 133). Any reply received by the Totte the filed these many and the menting date of this communication, when it timely filed, may reduce any certain plant form adjustment. See 37 CPR 1.74(b). Status 1) | | | <u> </u> | correspondence a | ddress |
| 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152) | Period for A SH THE - Exter after - If the - Failu Any r earne Status 1) \(\sum_{2a} \) \(\sum_{3} \) Dispositi 4) \(\sum_{3} \) | ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ad patent term adjustment. See 37 CFR 1.704(b). Responsive to communication(s) filled on 11 M and the provided period for reply will, by statute reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b). Responsive to communication(s) filled on 11 M and the patent term adjustment. See 37 CFR 1.704(b). Claim(s) 8-16 is/are pending in the application. See 37 Cfaim(s) 8-16 is/are pending in the application. See 37 Cfaim(s) 8-13 is/are allowed. | Y IS SET TO EXPIRE 3 MONTH 36(a). In no event, however, may a reply be tile by within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE g date of this communication, even if timely file by the second sec | (S) FROM mely filed ys will be considered time in the mailing date of this of ED (35 U.S.C. § 133). d, may reduce any | ely. communication. |
| 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 1) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152) | 7) 8) | Claim(s) is/are objected to. Claim(s) are subject to restriction and/or | r election requirement. | | |
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| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) | 12)[/ a)[| Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority documents application from the International Bureau | s have been received. s have been received in Applicati ity documents have been receive (PCT Rule 17.2(a)). | ion No ed in this National | Stage |
| S. Patent and Trademark Office PTOL-326 (Rev. 1-04) Office Action Summary Part of Paper No./Mail Date 5 | 1) Notice 2) Notice 3) Inform Paper S. Patent and Tra | of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date | Paper No(s)/Mail Da 5) Notice of Informal P 6) Other: | ate atent Application (PTC | <u> </u> |

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All remaining rejections and/or objections follow.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 14-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Futamura (U.S. 4,778,852).

See the previous Office action at page 3 line 9 et seq.

Applicants' arguments filed 2-23-04 have been fully considered but they are not deemed to be persuasive.

With regard to Futamura, the sole remaining rejection, applicants argue that Futamura does not teach or suggest the limitations of claim 14. However as applicants themselves point out, column 9, lines 41-52 disclose that butyl rubber copolymer is used which contains a multiolefin such as isoprene. Therefore it is the position of the Examiner that the "butyl rubber" of Futamura embraces applicants' "IR", i.e. isoprene rubber. Unpatented claims are given their broadest reasonably interpretation consistent with the specification.

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THIS ACTION IS MADE FINAL. Applicants are reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE. PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Mullis whose telephone number is (571) 272-1075. The examiner can normally be reached on Monday-Friday from 9:30 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck, can be

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reached on (571) 272-1078. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-0994.

J. Mullis:cdc

June 7, 2004

Jeffrey Mulls
Primary Examiner
Art Unit 1711